

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1119 be amended as follows:

1 Amend reengrossed bill, page 4, after line 16, insert:

2 "(b) "CLAIM" INCLUDES THE FAILURE TO PAY OR THE
3 UNDERPAYMENT OF AN OBLIGATION OWED TO THE STATE."

4 Reletter succeeding subparagraph accordingly.

5 Page 4, line 27, strike "AN INDIVIDUAL" and substitute "A PERSON".

6 Page 6, line 7, strike "STATE OR A POLITICAL SUBDIVISION," and substitute
7 "STATE,".

8 Page 6, strike lines 10 through 14.

9 Page 7, strike lines 22 through 27 and substitute:

10 "(g) KNOWINGLY MAKES, USES, OR CAUSES TO BE MADE OR USED,
11 A FALSE RECORD OR STATEMENT RESULTING IN THE UNDERPAYMENT OF
12 PREMIUMS OWED TO THE UNEMPLOYMENT COMPENSATION FUND
13 ESTABLISHED IN SECTION 8-77-101 OR IN THE PAYMENT OF
14 UNEMPLOYMENT INSURANCE BENEFITS OF MORE THAN FIFTEEN THOUSAND
15 DOLLARS IN A CALENDAR YEAR; OR".

16 Page 8, line 20, strike "STATE OR POLITICAL SUBDIVISION." and substitute
17 "STATE,".

18 Page 9, line 21, strike "BUSINESS" and substitute "PERSON".

19 Page 10, line 22, strike "If" and substitute "SUBJECT TO SECTION
20 24-31-1204 (5)(e), IF".

21 Page 11, lines 5 and 6, strike "GENERAL, POLITICAL SUBDIVISION," and
22 substitute "GENERAL".

23 Page 11, after line 9, insert:

24 "(b) AN ASSURANCE OF DISCONTINUANCE OR CONSENT ORDER
25 ACCEPTED BY THE ATTORNEY GENERAL PRECLUDES A SEPARATE ACTION
26 PURSUANT TO SECTION 24-31-1204 (3) BY ANY PERSON BASED ON THE
27 SAME FACTUAL CIRCUMSTANCES, EXCEPT FOR AN ACTION BASED ON A
28 VIOLATION OF THE ASSURANCE OF DISCONTINUANCE OR CONSENT ORDER."

- 1 Reletter succeeding paragraphs accordingly.
- 2 Page 11, line 14, strike "OR POLITICAL SUBDIVISION'S".
- 3 Page 12, strike lines 10 through 24.
- 4 Page 12, line 25, strike "(d)" and substitute "(b)".
- 5 Page 13, line 2, strike "(5)(b)(I)" and substitute "(4)(b)(I)".
- 6 Page 13, strike lines 11 through 27.
- 7 Renumber succeeding subsections accordingly.
- 8 Page 14, strike lines 1 through 17.
- 9 Page 15, lines 6 and 7, strike "STATE OR A POLITICAL SUBDIVISION THAT
10 IS AFFECTED BY THE VIOLATION." and substitute "STATE."
- 11 Page 15, lines 7 and 8, strike "STATE OR POLITICAL SUBDIVISION." and
12 substitute "STATE."
- 13 Page 15, line 10, strike "OR THE PROSECUTING AUTHORITY GIVE" and
14 substitute "GIVES".
- 15 Page 15, line 11, strike "THEIR".
- 16 Page 15, line 13, strike "STATE OR POLITICAL SUBDIVISION," and substitute
17 "STATE,".
- 18 Page 15, strike line 27 and substitute "STATE".
- 19 Page 16, line 1, strike "ATTORNEY GENERAL,"
- 20 Page 16, line 3, strike "IF BOTH".
- 21 Page 16, strike lines 4 through 6.
- 22 Page 16, line 24, strike "(4)(c)" and substitute "(3)(c)".
- 23 Page 17, lines 5 and 6, strike "STATE, OR A POLITICAL SUBDIVISION WITH
24 THE CONSENT OF THE ATTORNEY GENERAL," and substitute "STATE".

- 1 Page 18, line 8, strike "OR POLITICAL SUBDIVISION'S".
- 2 Page 18, line 25, strike "(5)(b)(III)" and substitute "(4)(b)(III)".
- 3 Page 19, lines 8 and 9, strike "OR POLITICAL SUBDIVISION'S".
- 4 Page 19, line 19, strike "OR POLITICAL SUBDIVISION'S".
- 5 Page 20, lines 4 and 5, strike "STATE OR POLITICAL SUBDIVISION." and
- 6 substitute "STATE.".
- 7 Page 20, line 12, strike "(5)(e)" and substitute "(4)(e)".
- 8 Page 20, line 18. strike "(6)(a)(II)" and substitute "(5)(a)(II)".
- 9 Page 21, line 12, strike "(6)(a)" and substitute "(5)(a)"
- 10 Page 21, line 13, strike "(6)(a)(I) OR (6)(a)(II)" and substitute "(5)(a)(I)
- 11 OR (5)(a)(II)".
- 12 Page 21, line 25, strike "(6)." and substitute "(5).".
- 13 Page 22, line 19, strike "(6)," and substitute "(5),".
- 14 Page 23, line 14, strike "OR".
- 15 Page 23, after line 14, insert:

16 "(II) AGAINST A SERVING ELECTED OFFICIAL OF A POLITICAL
17 SUBDIVISION, A MEMBER OF A POLITICAL SUBDIVISION'S JUDICIARY, OR AN
18 APPOINTED OFFICIAL OF A POLITICAL SUBDIVISION ACTING IN THE
19 MEMBER'S OR OFFICIAL'S OFFICIAL CAPACITY; OR".
- 20 Renumber succeeding subparagraph accordingly.
- 21 Page 24, line 10, strike "(7)(c)," and substitute "(6)(c),".
- 22 Page 24, line 13, strike "(7)(c)(I)" and substitute "(6)(c)(I)".
- 23 Page 24, line 21, strike "**or political subdivision**".
- 24 Page 25, line 27, strike "OR THE POLITICAL SUBDIVISION".

- 1 Page 26, lines 24 and 25, strike "STATE OR POLITICAL SUBDIVISION." and
2 substitute "STATE".
- 3 Page 28, line 1, strike "(9)(d)(II)" and substitute "(8)(d)(II)".
- 4 Page 28, line 22, strike "(9)(e)" and substitute "(8)(e)".
- 5 Page 29, line 17, strike "(10)" and substitute "(9)".
- 6 Page 30, lines 8 and 9, strike "SECTION, THE ATTORNEY GENERAL, OR THE
7 PROSECUTING AUTHORITY" and substitute "SECTION OR THE ATTORNEY
8 GENERAL".
- 9 Page 30, line 16, strike "OR PROSECUTING AUTHORITY".
- 10 Page 30, line 21, strike "(10)" and substitute "(9)".
- 11 Page 32, lines 3 and 4, strike "OR POLITICAL SUBDIVISION'S".
- 12 Page 32, line 8, strike "STATE, POLITICAL SUBDIVISION," and substitute
13 "STATE".
- 14 Page 37, after line 20, insert:
- 15 "(IV) FOR THE PURPOSES OF A FALSE CLAIMS ACTION INVOLVING
16 THE UNDERPAYMENT OF UNEMPLOYMENT INSURANCE PREMIUMS, THE
17 RELEVANT FUND IS THE UNEMPLOYMENT COMPENSATION FUND
18 ESTABLISHED IN SECTION 8-77-101.".
- 19 Strike "OR A POLITICAL SUBDIVISION" on **Page 6**, line 19; **Page 9**, lines 7,
20 **Page 10**, lines 1 and 22; **Page 17**, lines 13 and 14; **Page 20**, lines 18 and
21 19; **Page 21**, lines 20 and 21; **Page 22**, lines 11 and 12, and 27; **Page 23**,
22 line 23; **Page 24**, lines 4 and 22; **Page 31**, lines 13 and 14, and 17; **Page**
23 **32**, lines 14 and 15.
- 24 Strike "OR POLITICAL SUBDIVISION" on **Page 6**, line 23; **Page 10**, line 24;
25 **Page 11**, lines 11, 13, 18 and 26 and 27; **Page 16**, lines 13, 25, and 26 and
26 27; **Page 17**, lines 9 and 10, 20, 23, and 26; **Page 18**, lines 5 and 26; **Page**
27 **19**, lines 7, 12 and 13, 15 and 16, 17, 22, and 24 and 25; **Page 20**, line 3;
28 **Page 21**, lines 23 and 26; **Page 22**, line 26; **Page 23**, line 17; **Page 24**,
29 lines 7, 13 and 14, 18 and 19; **Page 25**, line 23; **Page 27**, line 1; **Page 28**,
30 line 6; **Page 29**, lines 24 and 25; **Page 30**, lines 3 and 4, and 18; **Page 31**,
31 lines 19, 22, 25; **Page 32**, line 1.

- 1 Strike "(4)(b)" and substitute "(3)(b)" on: **Page 9**, line 9; **Page 14**, line 11;
2 **Page 16**, lines 8, 15, and 23; **Page 17**, line 19; **Page 21**, line 27; **Page 22**,
3 line 13; **Page 23**, line 2; and **Page 24**, line 5.
- 4 Strike "(4)" and substitute "(3)" on: **Page 11**, line 7; **Page 17**, lines 5, 10,
5 and 15; **Page 20**, lines 2, 7, and 20; **Page 23**, lines 16, 20, and 25; **Page**
6 **24**, lines 20 and 24; **Page 25**, line 6; **Page 27**, line 7; **Page 28**, line 19;
7 **Page 29**, lines 3, 9, 11, 13, 15, 17, 21, and 26; **Page 30**, lines 5, 8, 14, and
8 23; and **Page 32**, lines 3, and 9.
- 9 Strike "(9)" and substitute "(8)" on: **Page 24**, line 26; **Page 27**, lines 5, 9,
10 and 11; **Page 28**, lines 7 and 17; and **Page 29**, line 5.

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